**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CLOUDING CORP., Plaintiff, vs. EMC CORPORATION, EMC INTERNATIONAL U.S. HOLDINGS, INC., and VMWARE, INC., Defendants.	C.A. No. 14-1178 (LPS)

JOINT STATUS REPORT

Pursuant to this Court's Order of March 8, 2017 (D.I. 20), the parties hereby submit the following Joint Status Report regarding this matter. The Court has not yet conducted a scheduling conference in this action. In its Complaint, Plaintiff Clouding Corp. ("Clouding") asserted infringement of ten patents against one or both defendants. Many of those patents have been subject to Inter Parties Review ("IPR") proceedings. Such proceedings are largely complete, but some remain pending.

Eight of the asserted patents have been subject to IPR proceedings that have led to a Final Written Decision holding claims unpatentable. The following asserted patents have had claims held unpatentable and are final decisions either confirmed by the Federal Circuit or no longer subject to appeal: 5,825,891; 6,738,799, 6,925,481; 7,254,621; 7,065,637; 7,272,708; and 7,032,089. With respect to asserted patent 6,631,449, several claims were held unpatentable in an IPR proceeding in a Final Written Decision issued March 10, 2017. The time to appeal that decision has not yet run.

With respect to asserted patent 5,944,839, an IPR proceeding was instituted regarding claims 6, 8 and 14 of the patent. The Patent Trial and Appeal Board upheld those claims and found them not unpatentable. Defendants have appealed that determination and that appeal is currently set for oral argument before the U.S. Court of Appeals for the Federal Circuit on April 5, 2017 (Federal Circuit Case No. 16-1999). Additional claims of the '839 patent (specifically, claims 1, 2, 15 and 17) were denied IPR institution in two IPR petitions filed by Defendants.

Finally, patent 5,495,607 was only asserted against Defendant VMware, Inc.. That patent has expired and has not been the subject of any IPR proceeding involving defendants and the time for filing such a petition by Defendants has expired.

In light of the foregoing, the parties respectfully submit that it would be most efficient for the Court to set a further status conference after resolution of Defendants' appeal of the PTAB's rulings regarding the '839 patent.

March 15, 2017

BAYARD, P.A.

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